

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:14-CV-00642-GCM**

WASTE CONNECTIONS OF NORTH
CAROLINA, INC.,

Plaintiffs,

v.

K.R. DRENTH TRUCKING, INC.,

Defendants.

ORDER

THIS MATTER is before the Court on Magistrate Judge David C. Keesler's Report on a Judicial Settlement conducted with the parties on March 2, 2016. Judge Keelser indicated that the most significant impediment to settlement was the parties' disagreement as to whether a particular contract provision was an unenforceable penalty. Accordingly, this Court will order the parties to submit simultaneous briefing on this issue. **IT IS THEREFORE ORDERED** that the parties submit memoranda to this Court setting out their positions on the disputed contract provision. The parties are further ordered to file their memoranda no later than April 4, 2016.

SO ORDERED.

Signed: March 3, 2016



Graham C. Mullen
United States District Judge

